

REMARKSAmendments to the Claims

The amendments to the claims add no new matter.

Addition of the phrase, “wherein the catalyst is a heterogeneous catalyst” to claim 1 merely incorporates the limitations of claim 13.

Claims 3 and 4 have merely been rewritten in independent form.

Rejections and Objections to the Claims

The examiner indicated that claims 3, 4 and 13 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3 and 4 have been rewritten in independent form including all of the limitations of claim 1. Thus, claims 3 and 4 should be allowable.

Instead of rewriting claim 13 in independent form, claim 1 has been amended to incorporate all the limitations of claim 13, and claim 13 has been canceled.

Claims 1, 2, 5 – 12, and 14 stand rejected as allegedly being obvious over **Wender et al. (US 2,682,562)**. As mentioned above, claim 1 has been amended to incorporate all the limitations of claim 13. Thus, claim 1 should now be allowable. “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.”¹ Claims 2, 5 – 12 and 14 depend from nonobvious claim 1. Thus, claims 2, 5 – 12 and 14 are nonobvious, and should be allowable.

This application is in condition for allowance.

Favorable action is solicited.

¹ MPEP §2143.03, citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).